



U.S. Department of Justice

United States Attorney  
Southern District of New York

86 Chambers Street, 3<sup>rd</sup> floor  
New York, NY 10007

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DATE FILED: May 12, 2021

May 11, 2021

MEMO ENDORSED

**BY ECF**

Hon. Andrew L. Carter, Jr  
United States District Judge  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, New York 10007

Re: *Escalante v. Saul*, No. 20 Civ. 10650 (ALC)

Dear Judge Carter:

This Office represents the Commissioner of Social Security (the “Commissioner”), the defendant in the above-referenced action, which the plaintiff brought pursuant to 42 U.S.C. § 405(g) to appeal the Commissioner’s decision to deny her application for Social Security disability benefits.

I respectfully write to request, with the plaintiff’s consent, a 60-day extension of time for the Commissioner to file the certified administrative record in this case, from May 11, 2021, to July 12, 2021. The extension is needed because the COVID-19 pandemic has significantly impacted the operations of the Social Security Administration (“SSA”) and its Office of Appellate Operations (“OAO”) and materially affected its ability to prepare certified administrative records. As described in the Declaration of Jebby Rasputnis, dated March 17, 2021, beginning in mid-March 2020, the SSA restricted physical access to its physical buildings. (Rasputnis Decl. ¶ 2.) Since that time, OAO has been working to overhaul, redo, refine, and streamline its business processes to continue operations remotely. (Rasputnis Decl. ¶ 2.) It has now reached and surpassed pre-pandemic levels of production of electronic certified administrative records. (Rasputnis Decl. ¶ 2.) However, while the OAO transitioned to a virtual process, the number of new cases filed in federal court also increased, creating a significant backlog that the OAO is still working to address. (Rasputnis Decl. ¶¶ 3-5.)

This is the Commissioner’s first request for an extension in this case, and the plaintiff consents to this request.

I thank the Court for its consideration of this request.

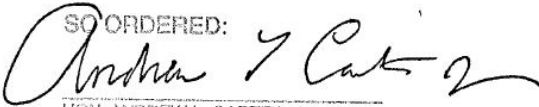
Respectfully,

AUDREY STRAUSS  
United States Attorney

/s/ Amanda F. Parsels

BY: AMANDA F. PARSELS  
Assistant United States Attorney  
Tel.: (212) 637-2780  
Cell: (646) 596-1952  
Email: amanda.parsels@usdoj.gov

cc: Daniel Berger, Esq.  
*Attorney for Plaintiff*

SO ORDERED:  
  
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HON. ANDREW L. CARTER, JR.  
UNITED STATES DISTRICT JUDGE

**Dated: May 12, 2021**